

RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 962-001
DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

AGENCY RECORDS OFFICER

STATE APPROVAL

STATE RECORDS ADMINISTRATOR

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE JUN 05 2008

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POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORDS SERIES AND DESCRIPTION

SERIES NUMBER

SCHEDULED RETENTION AND DISPOSITION

This schedule replaces 962-001 dated October 19, 1988

AdviceLine Notes

This series consists of notes taken by a Department of Employment Dispute Resolution (EDR) Consultant during an AdviceLine call, detailing employment-related concerns of state employees, managers, and Human Resources representatives of the Commonwealth.

015134

Retain six months after essential data is entered into the AdviceLine log then destroy in compliance with No. 8 on the schedule cover page.

AdviceLine Log

This series documents essential information concerning calls made to the EDR AdviceLine, including caller name, agency, concerns, record number, and information provided by the EDR Consultant.

015135

Retain 30 years after the end of the fiscal year in which the call was received then destroy in compliance with No. 8 on the schedule cover page.

G-Form Database

This series consists of grievance information used for statistical reporting including agency name, grievant name, grievance issue, and manner of resolution.

015136

Retain 30 years after the end of the fiscal year in which the grievance was resolved then destroy in compliance with No. 8 on the schedule cover page.

Grievance Ruling Files

This series consists of information used to prepare and publish an administrative ruling. This series may include, but is not limited to: parties' submissions, investigation documents, exhibits, consultant notes, ruling drafts, and final rulings.

015137

Retain 5 years after the end of the fiscal year in which the ruling was rendered then destroy in compliance with No. 8 on the schedule cover page.



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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Hearing Case Appointment Files</u> This series documents EDR's appointment of hearing officers and administration of the appointment process for each case.	015138	Retain 5 years after the end of the fiscal year in which the final hearing decision was rendered or completion of all appeals, whichever is longer, then destroy in compliance with No. 8 on the schedule cover page.
<u>Hearing Case Files</u> This series consists of grievances received by the Division of Hearings which are qualified to advance to hearing. This series may include, but is not limited to: the appointment packet, exhibits, administrative and judicial reviews, and all related correspondence.	015139	Retain 5 years after the end of the fiscal year in which the final hearing decision was rendered, or completion of all appeals, whichever is longer, then destroy in compliance with No. 8 on the schedule cover page.
<u>Hearing Officer Coordination Files</u> This series documents a system of appointment and training of hearing officers, including correspondence, selection, evaluations, and tracking of any related training.	015140	Retain 10 years after creation or until superseded, whichever is longer, then destroy in compliance with No. 8 on the schedule cover page.
<u>Hearing Log</u> This series consists of information about grievance hearings, including grievant information, hearing issues, hearing results, and important dates in the hearing process.	015141	Retain 30 years after the end of the fiscal year in which the hearing was concluded then destroy in compliance with No. 8 on the schedule cover page.
<u>Local Grievance Procedure Approval Files</u> This series documents an obsolete system wherein the agency provided grievance procedure guidance and services to local governments.	015142	Retain 3 years after final correspondence then destroy.



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<u>Mediation Case Files – Mediated</u> This series documents the services provided to assist state employees in resolving workplace disputes through mediation. This series may include, but is not limited to: request for services, working papers, consent and agreement forms, mediator evaluations, and correspondence.	015143	Retain 5 years after the end of the fiscal year of last action then destroy in compliance with No. 8 on the schedule cover page.
<u>Mediation Case Files – No Mediation</u> This series documents the services provided to assist state employees in resolving workplace disputes through mediation. This series may include, but is not limited to: request for services, working papers, consent and agreement forms, mediator evaluations, and correspondence.	015144	Retain 1 year after the end of the fiscal year in which the records were submitted then destroy in compliance with No. 8 on the schedule cover page.
<u>Mediation Log – No Personally Identifying Information</u> This series consists of information about mediations conducted pursuant to EDR's mediation program including participant and mediator information, important dates in the process, and the outcome.	015145	Retain 30 years after end of the fiscal year in which the mediation was completed then destroy.
<u>Mediation Log – Personally Identifying Information</u> This series consists of information about mediations conducted pursuant to EDR's mediation program including participant and mediator information, important dates in the process, and the outcome.	015146	Retain 5 years after the end of the fiscal year in which the mediation occurred then destroy in compliance with No. 8 on the schedule cover page.

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<u>Rulings</u> This series documents the final ruling of the EDR Agency Head regarding such issues as access to the grievance procedure, administrative reviews, appeal reviews, compliance, consolidation, and qualification of grievances for hearing as published/distributed by the agency regarding a grievance.	015147	Retain permanently.
<u>Ruling Log</u> This series consists of information about EDR rulings files. This series may include, but is not limited to: grievant information, processing timelines, preparing and finalizing the ruling, and the result.	015148	Retain 30 years after the end of the fiscal year in which the ruling was issued then destroy in compliance with No. 8 on the schedule cover page.
<u>Training Log</u> This series documents training sessions conducted by EDR trainers, including date, location, and attendees.	015149	Retain 30 years after the end of the fiscal year in which the training session occurred then destroy in compliance with No. 8 on the schedule cover page.
<u>Workforce Transition Act Files</u> This series consists of individual rulings in disputes arising from implementation of the Workforce Transition Act.	015150	Retain 5 years after final determination then destroy in compliance with No. 8 on the schedule cover page.